



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

OCT - 6 2010

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Luis R. Fernandez, Managing Member
Victory Center, LLC
26 Chapin Road, P.O. Box 720
Pine Brook, New Jersey 07058

Re: Approval for Cleanup and Disposal of PCB Remediation Waste under 40 CFR §761.61(a) and for Characterization and Verification Sampling under 40 CFR §761.61(c)

Dear Mr. Fernandez:

This is in response to the July 29, 2010 Self Implementing Cleanup Notice (Notice), prepared for the Former IGI Petroleum Specialties, Inc. Site (IGI Site) located in Perth Amboy, New Jersey. Specifically, the Notice pertains to the parcel of the North Yard of the IGI Site, located north of Patterson Street (North Parcel) and owned by Victory Center, LLC (Victory Center). The Notice was amended through submittal of additional information by E 2 Project Management, LLC (E2PM) in electronic correspondence dated August 31, 2010. These documents will be referred to as the "Application".

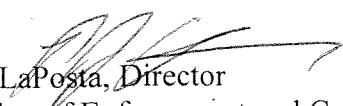
The North Parcel contained polychlorinated biphenyls (PCBs) that exceed the high occupancy cleanup levels under the federal PCB regulations at 40 CFR §761.61(a)(4). Excavation activities were performed which relocated PCB contaminated soils, at levels less than 25 parts per million (ppm), onto the portion of the North Yard located south of Patterson Street. This excavated soil is stockpiled and will be disposed of in an area of the North Yard designated for low occupancy use.

With the exception of the characterization and verification sampling requirements under Subparts N and O of 40 CFR Part 761, the Notice meets the self-implementing cleanup and disposal requirements under 40 CFR §761.61(a). Based on characterization sampling conducted on the North Parcel, the U.S. Environmental Protection Agency (EPA) finds that this sampling adequately delineated the areas of PCB contaminated soil that were excavated. The EPA also finds that E2PM's verification sampling on the North Parcel was acceptable for purposes of determining compliance with the PCB cleanup standard for high occupancy areas of 1 ppm (without further conditions).

The EPA is approving Victory Center's Application, and it may continue with the cleanup and disposal under 40 CFR §§761.61(a) and (c) and its Application, subject to this approval. This approval also constitutes an order under the authority of Section 6 of the Toxic Substances Control Act, 15 U.S.C. § 2605. Please note that this approval does not constitute a determination by EPA that any transporters or disposal facilities that may be selected in the future by Victory Center or its consultant(s) are authorized to conduct the activities set forth in the Application. Victory Center is responsible for ensuring that any selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.

Should you have any questions concerning this matter, please contact James S. Haklar, Ph.D., P.E., of my staff, at (732) 906-6817.

Sincerely yours,

FOR 
Dore LaPosta, Director
Division of Enforcement and Compliance Assistance

cc: Jackie Bobko, New Jersey Department of Environmental Protection